

CITYOF CHESTERMERE

POLICY HANDBOOK

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1. Purpose and Intent

The Public Art Policy provides guidelines for the process of planning, funding, acquisition, maintenance and promotion of public art for the City of Chestermere.

1.1 The intent of this policy is to:

- promote and support both public and private development in building a quality collection of artwork to enrich public spaces encouraging community engagement, promoting healthy lifestyles through recreation, attracting visitors and celebrating local identity
- provide leadership by incorporating public art into development or renovation of civic infrastructure, buildings, and parks
- identify opportunities and incorporate public art at the earliest planning stages of development with the goal of creating meaningful site specific artwork
- ensure acquisition is open and transparent by combining quality evaluation and community input into the selection process
- clarify funding mechanisms for public art including municipal budget allocation, private development contributions and other partnership opportunities
- ensure sound stewardship of public artwork assets through responsible maintenance cost management and strategic planning
- encourage collaboration to promote unconventional and/or innovative approaches to public art

1.2 Public art opportunities in Chestermere can have both aesthetic and functional roles taking on form such as:

- functional and decorative streetscape elements such as distinctive lighting and pavement features, multi-functional street furniture, interpretive wayfinding and signage;
- artistic landmarks, individual art pieces, or architectural design such as gateway features, bridges and building facades; and
- design of open space elements including parks, landscape, plazas and pathways.

2. Roles and Administration

With the goal of creating site specific public art that maximizes the opportunity for creativity, collaboration and cost efficiency, opportunities must be identified early in the process and be fully integrated in to the planning, designing and construction of civic works. This process requires the input and expertise of many people including Council, City Staff, residents, artists, architects, engineers, and developers.

2.1 City responsibilities include:

2.1.1 Council

- Uphold the Public Art Policy in approval decisions and identify opportunities for public art inclusions
- Allocate resources for successful planning and implementation of the Public Art Policy
- Maintain a Public Art Reserve to hold public art allocations and contributions

2.1.2 Chestermere Planning Commission (CPC)

- Uphold the Public Art Policy in decisions and recommendations
- Identify opportunities for public art inclusions

2.1.3 Streetscape Committee

The Streetscape Committee is a Council-appointed voluntary advisory committee that provides input on various public space planning and design matters. If this Committee is dissolved, Council will direct another Committee to take these responsibilities:

- Act as an advisory committee to Council on the Public Art Policy
- Review Public Art Plans and advise Council and Staff
- Identify public art opportunities

2.1.4 Directors and Management

- Ensure internal procedures are established and followed for implementation of the Public Art Policy
- Ensure the Policy is reviewed every five years

2.1.5 City Staff

- Establish and follow internal procedures to implement the Public Art Policy
- Identify public art opportunities for public space
- Consider and pursue public art opportunities in private development when reviewing and making recommendations for development applications
- Maintain a Public Art Inventory
- Administer maintenance and conservation of public art

3. Acquisition of Public Art

Public artwork can be acquired through the procuring or commissioning of a project on public land; including public art in Capital Projects; receiving donations or gifts; or working with private actors to establish art on private land visible to the public.

3.1 Acquisition of Public Art on Public Land

3.1.1 Public art project proposal can be made for publicly accessible locations on public properties such as city-owned parks, boulevards and buildings. Council, Staff, Streetscape Committee members and external sources, including residents, can bring forward public art project proposals and plans for review.

3.1.2 For a specific project or site, proposals can be solicited through a Request for Proposals (RFP) call in the form of an open competition, limited or invitation call, or direct selection. The RFP will be submitted by Staff, clearly outline the assessment criteria and will be reviewed by the Streetscape Committee.

3.1.3 The selection of public artwork will be obtained or commissioned through a *Proposal Evaluation Process* conducted by a team made up of the Streetscape Committee and Staff representatives. The public consultation or participation process will be determined by the Streetscape Committee and Staff on a per project basis.

3.1.4 A Public Art Plan should be submitted as a proposal or as response to an RFP including concepts drawings, timelines, budget, maintenance schedule, and community engagement process.

3.1.5 Selection Criteria will be review^{ed} for:

- artistic merit
- response to project RFP requirements
- community engagement process plan
- site suitability and community context
- public access
- Maintenance Plan and durability
- public safety and liability
- cost (including a minimum 10% budget allowance for conservation and maintenance to be held in the Public Art Reserve Fund)
- City insurance impacts

3.1.6 Staff and the Streetscape Committee will forward a recommendation with Public Art Plan to Council for approval, including funding request when applicable.

3.1.7 The Development and Infrastructure Services Department will review Public Art Plan proposals prior to advancing to Council for safety and liability, compliance with by-laws and requirements, technical feasibility, and other aspects as needed.

3.1.8 If accepted, a formal agreement will be drawn up outlining the responsibilities of each party, addressing project funding, fabrication, installation, maintenance, transfer of title, artist's rights and other issues as necessary.

3.2 Including Public Art in Municipal Capital Projects

3.2.1 The City will provide leadership in public art by incorporating art into the development or renovation of civic infrastructure.

3.2.2 The City will consider dedicating a minimum of one percent (1%) of the qualifying construction budget of publicly accessible municipal projects to public art. Recognizing that certain funds have restricted uses, the public art allocation will come from municipal public money. This additional funding provided to a Capital Project will be determined in the general municipal budgeting process. Qualifying construction budget excludes equipment and land acquisition.

3.2.3 The funds can be directed towards artwork at the specific capital project site in which it was allocated, or can be placed in the Public Artwork Reserve Fund. Suitable sites include any municipal project that will be accessed by or be highly visible to the public, including streetscape improvements, buildings, recreation facilities, parks and bridges. The City will identify the capital projects appropriate for the inclusion of public art on site.

3.3 Donations of Artwork

3.3.1 Donations or gifts of artwork shall be preceded by a Public Art Plan including information such as the artwork history, description, suggested site, installation details, and maintenance plan.

3.3.2 Staff and the Streetscape Committee will assess the donation proposal and forward a recommendation for Council's approval.

3.3.3 Donations will be reviewed for artistic merit, site suitability and context, commitment of public space, as well as future maintenance requirements. If possible, a financial contribution of 10% of the commission cost of the artwork should be obtained from the donor for conservation and maintenance. Staff can adjust the percent required based on an audit of maintenance requirements.

3.4 Acquisition in Collaboration with Private Development

3.4.1 This policy encourages the private sector to support the integration of public artwork through financial contribution to the Public Art Reserve Fund and/or artwork placement into their designs from the early stages of development. Chestermere Staff will work with applicants to identify public art opportunities.

3.4.2 Specific consideration for public art placement should be included:

- for residential multi-unit uses with communal amenity space;
- for park spaces at the Outline Plan or Subdivision phase; and

- for non-residential uses with plazas, courtyards and other open spaces.

3.4.3 A Public Art Plan or contribution will be identified with the outline plan application and collected at the development permit application stage.

3.4.4 The Development Authority will refer planning applications as needed to the Streetscape Committee for input on public art.

3.4.5 The Development Authority will forward a recommendation to be included in the review by CPC in the Development Permit Process.

3.4.6 The private sector may contribute by:

- 'On-site' Contribution: The applicant may commission public artwork to be located on the subject property or publicly owned lands adjacent thereto;
- 'Off-site' Contribution: The applicant may contribute to the City's Public Art Reserve Fund to be used towards public art on publicly owned lands; or
- 'On-site/Off-site' Combination: The applicant may commission public art work on the subject property or publicly owned lands adjacent thereto and contribution to the City's Public Art Reserve Fund.

3.4.7 The recommended contribution to public art is one percent (1%) of the gross construction cost of the development project.

3.4.8 Public art projects can be joint-venture in their sponsorship. Public art joint-venture projects on public lands will undergo the City's *Acquisition for Public Art on Public Lands Proposal Evaluation Process*.

3.4.9 On private land public art should be sited in locations that are visible and accessible for pedestrians and/or motorists; in proximity to high pedestrian activity areas; and in places of community significance.

3.4.10 Art installed on private lands are the responsibility and risk of the owner, and shall be maintained at the owners sole cost for the life of the development.

4. Maintenance and Conservation

4.1 All public artwork requires a Maintenance Plan. The Plan should be developed in collaboration with the Parks department providing maintenance recommendations and schedule. The Plan should include a maintenance manual from the artist with a list of materials, specifications and resources for conservation.

4.2 Regular maintenance will be completed by Parks and be funded through the annual operating budget allocation process and the Parks department's availability.

4.3 Large-scale conservations will be assessed by the Streetscape Committee who will recommend treatment, timelines and costs to be brought forward for Staff's consideration. This will be funded through the Public Art Reserve Fund at Council's discretion.

5. De-accession Guidelines

5.1 De-accession is the process to remove an object from the Municipal Art Collection. De-accessioning will be considered only after careful evaluation when:

- the condition of the work requires costly and/or ongoing repairs
- public safety is at risk
- there has been sustained and overwhelming public objection to the artwork, based on Council's discretion
- the use of the space has changed
- public accessibility is no longer available

5.2 The de-accession will be evaluated on a case by case basis, allow for public comment and must be endorsed by Council.

5.3 A de-accession requests shall be reviewed by Staff and the Streetscape Committee who will submit a recommendation to Council outlining:

- the reasons for de-accessioning
- legal documents relating to the artwork
- acquisition method and cost
- recommended method and cost of de-accession
- any documented public response to the work

5.4 Prior to beginning the process, all legal documents relating to the artwork will be consulted and there will be reasonable efforts to notify the artist whose work is being considered for de-accession.

5.5 The artist shall be given the right of first refusal if art is removed from the collection. The artwork may then be sold, exchanged, gifted or destroyed if damaged beyond repair. Proceeds from the sale of an artwork shall go into the Public Art Reserve Fund.

6. Ownership and Copyright

6.1 The artist in charge of the project provides and maintains insurance coverage for the duration of the fabrication and installation of the artwork. Upon completion of installation, ownership shall be transferred to the municipality. In accepting the ownership of the artwork, Chestermere accepts the responsibility for its maintenance, insurance and for upholding any contractual agreements made with the artist.

6.2 Copyright privileges in accordance with the *Canadian Copyright Act* shall remain with the artist. Certain rights, such as the right to reproduce images of artworks for non-commercial purposes, can be negotiated and transferred through individual contracts with the artists.

7. Community Input and Engagement

7.1 The selection process will be transparent incorporating professional advice and community input to ensure quality of art and its relevance to the community and site.

7.2 The City will provide accessible information and opportunities for public participation in projects whenever possible.

7.3 The City will establish a Public Art Inventory to record and promote the community's investment in public space. Information should include:

- artist name and contact information
- title and date of the work
- artist description or intent
- materials used
- maintenance schedule and instructions
- any agreements of maintenance or others

7.4 Programming of public art will fall under the direction of the Community Services department. The city will encourage engaging public art outreach and education to help facilitate community ownership and sense of community.

8. Funding Strategy and Partnerships

8.1 Chestermere is committed to building the necessary internal capacity and providing appropriate financial resources to facilitate the successful implementation of the Public Art Policy. To this end, funding will be committed on a case to case basis for public art projects, in addition to the percent allocated from municipal capital project costs.

8.2 To ensure accountability and consistency public art contributions will be kept in the Public Art Reserve Fund with restricted use to public art related projects or activities. Contributions will be reported to and allocated by Council.

8.3 Partnerships and collaboration to increase cost efficiencies in fabrication and installation shall be sought. Sources of partnership and funding opportunities include:

- Collaboration between City departments can assist the funding of public art. For example, public infrastructure such as utility covers, benches, and street

paving offer opportunities for artist design commissions with production costs already in place for replacing city infrastructure.

- Partnerships with local businesses can help improve public spaces attracting residents and tourists to certain locations. Incentives can be created through a granting process or matching funds.
- Partnerships with private development can provide benefits on the contributing development as well as for the wider community.

9. The Public Art Reserve Fund

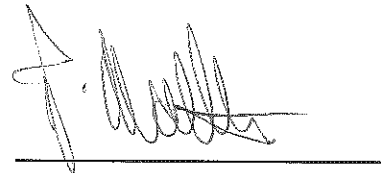
9.1 Chestermere will maintain a Public Art Reserve Fund to hold public art allocations from both public and private sources. The purpose of the fund is to set aside public funds for the creation of public art work when appropriate projects are identified as well as maintain funds for conservation and maintenance of the existing public art collection.

9.2 Ten percent (10%) of every public art project budget should be placed in the Public Art Reserve Fund at the time of the acquisition or commission for future maintenance.

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